

REMARKS

Claims 1-51 are all the claims pending in the application, but claims 38-51 have been withdrawn from consideration.

In reply to the Response filed September 22, 2003, the Examiner removed all of the previous claim rejections. The current status of the claims is the following.

Claim 31 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite.

Claims 1-3 and 13 are rejected under 35 U.S.C. § 102(b) as being anticipated by newly-cited Smith et al. ("An Image and Video Search Engine for the World-Wide Web," hereafter "Smith").

Claims 26, 28, 29, 31, and 32 are rejected under 35 U.S.C. § 102(e) as being anticipated by newly-cited Snyder (US 6,643,641).

Claims 4 and 12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Smith in view of Snyder.

Claims 5, 6, 8, and 9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Smith in view of Snyder, and further in view of newly-cited Kleinberg ("Authoritative Sources in a Hyperlinked Environment").

Claims 7 and 14 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Smith in view of Snyder and Kleinberg, and further in view of newly-cited Attardi et al. ("Automatic Web Page Categorization by Link and Context Analysis," hereafter "Attardi").

Claims 10 and 11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Smith in view of Snyder and Kleinberg, and further in view of newly-cited Schuetze et al. (US 6,564,202, hereafter "Schuetze").

AMENDMENT UNDER 37 C.F.R. § 1.111
U. S. Application No. 09/822,832

Claims 15-20 and 23-25 are rejected under 35 U.S.C. § 103(a) as being unpatentable over newly-cited Finseth et al. (US 6,271,840, hereafter “Finseth”) in view of Attardi.

Claims 21 and 22 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Finseth in view of Attardi, and further in view of Schuetze.

Claim 27 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Snyder in view of Attardi.

Claim 30 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Snyder in view of Schuetze.

Claims 33 and 34 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Snyder in view of newly-cited Richardson et al. (US 6,108,620, hereafter “Richardson”).

Claims 35-37 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Snyder in view of previously-cited Hoffert et al. (US 5,903,892, hereafter “Hoffert”).

Claim 31 is amended to correct the antecedent basis problem in the claim.

Applicant amends claim 1 to include the features of claim 4. Applicant submits that the prior art fails to teach or suggest these features, i.e., wherein the arbitrary site is selected between a retrieval site or a portal site. The Examiner concedes on page 6 of the Office Action that Smith does not disclose the limitations of original claim 4. Thus, claim 1 and its dependent claims 2, 3, and 13 are not anticipated by Smith.

The Examiner cites Snyder as allegedly disclosing this feature of the claims at col. 12, lines 13-55, but Applicant respectfully disagrees. The cited excerpt of the reference discloses the following:

AMENDMENT UNDER 37 C.F.R. § 1.111
U. S. Application No. 09/822,832

Assuming that the criteria concerns a concatenation of terms (e.g., "quick brown fox"), all the URLs of files that contain that string are available by searching for the string. Likewise the URLs of all the files containing the component terms are available ("quick" or "brown" or "fox"), and these terms or phrases can be combined with other terms or arbitrary categorizations to find a page (such as the Quick Brown Fox Hardware Store). The indexing and/or categorization particulars can be objective or arbitrary, and wholly or partly driven by human review or by automated means, and can concern any aspect that tends to be unique to individual files or common to subsets of files only.

Automated indexing and similar characterization systems may seem objective but the results are determined in part by usage chosen by the author of the content, which is to some extent arbitrary. Human review is subject to potentially arbitrary choices by the reviewer. The search database as discussed herein includes any collection of information prepared in a manner that enables search criteria to be compared to stored criteria to distinguish files from one another. The search criteria involves combinations of categorizations and/or text strings and other factors, chosen by the user in an effort to target the files or pages that have a desired subject or include reference to a particular datum. At the same time, each criterion is not applicable to every page reviewed, and as a result it is possible both to collect files that meet a user's criteria and to eliminate files that do not meet the criteria and thus are irrelevant to the particular search.

Referring again to FIG. 2, the universe of files and pages can comprise, for example, all the high level pages of registered domain names on the Internet, plus a series of additional lower level pages. The lower level pages can include all the pages to which the high level pages are linked by hyperlinks in the content of the high level pages and/or frequently encountered subpage names such as "index" and "home". Various such processes are conventionally practiced using so-called web crawlers that are operated constantly, often during low traffic hours, to find, load and analyze (index) a very large universe of web pages.

Conventional web crawlers prepare a database that records and can be used by searchers to select (or de-select) web pages primarily on text strings and Boolean combinations of text strings found in the content of the web pages and indexed in the search engine database.

After reviewing this excerpt, Applicant submits that Snyder does not disclose that an arbitrary site is selected between a retrieval site or a portal site. Thus, Applicant respectfully requests that the Examiner point to the exact wording in the excerpt which allegedly corresponds to the claimed feature of original claim 4. Absent a further explanation of the cited portion of

AMENDMENT UNDER 37 C.F.R. § 1.111
U. S. Application No. 09/822,832

Snyder, Applicant submits that claim 1, as amended, is patentable over the Smith/Snyder combination.

Furthermore, claim 12 is allowable over the prior art, at least because of its dependence from claim 1.

For the rejection of claims 5, 6, 8 and 9, Applicant submits that these claims are allowable over the prior art, at least because of their dependence from claim 1 and because Kleinberg fails to make up for the deficiencies of Smith and Snyder.

With further regard to claim 9, Applicant submits that the prior art does not teach or suggest all the limitations of the claim. The Examiner cites Snyder as allegedly disclosing the features of claim 9 at col. 14, lines 10-22, but Applicant respectfully disagrees. The cited excerpt states:

A particular term can be included one or many times to improve rankings, by one of the foregoing techniques, or by overloading keywords in "META" tags included in web pages and not displayed. Another technique is to temporarily post a page to be textually indexed by the crawler/search engine and then to replace its content after it has been indexed, or similarly, meta-refreshing the web page so as to redirect the user to another page address. According to an aspect of the present invention, the user can visually distinguish pages having undesired content and not waste time on them. Search engine corruption using the aforementioned techniques to provide misleading text is averted due to the visual nature of the present invention.

Rather than disclosing filtering noise images out of the called image data to get a filtered image, as recited in claim 9, the cited portion of Snyder relates to search engine corruption of text. There is no discussion of filtering noise images out of called image data to get a filtered image. Hence, claim 9 is allowable over the prior art for this additional reason.

AMENDMENT UNDER 37 C.F.R. § 1.111
U. S. Application No. 09/822,832

With regard to the rejection of claims 26, 28, 29, 31 and 32, claim 26 is amended to include the limitations of claim 29. Applicant submits that claim 26, as amended, is not anticipated by the prior art, because Snyder fails to teach or suggest the limitations of claim 29. Specifically, Snyder does not disclose a filtering unit for filtering noise images out of the called image data to get a filtered image. The Examiner refers to col. 25, lines 5-55 of the reference as allegedly disclosing this feature of the claim. However, the cited excerpt of the reference is silent with respect to the limitations of original claim 29. Rather, the cited excerpt discusses processing animated GIFs to provide a static image. Thus, claim 26 and its dependent claims 28, 31 and 32 are not anticipated by Snyder.

For the rejections of claims 27, 30, 33, 34 and 35-37, Applicant submits that these claims are allowable over the prior art, at least because of their dependence from claim 26 and because the secondary and tertiary references fail to make up for the deficiencies of Snyder.

Furthermore, the prior art fails to teach or suggest all of the limitations of claim 33. The Examiner points to col. 2, lines 55-65 of Richardson as allegedly corresponding to the limitations of claim 33, but Applicant respectfully disagrees. The cited portion of the reference discloses that memory and response time constraints of a system can be exceeded and that when they are exceeded, the parser stops parsing. However, claim 33 recites a control unit for outputting a control signal, wherein it is determined whether or not a number of indexed multimedia contents is equal to or greater than a predetermined number, and when the number of indexed multimedia contents is equal to or greater than the predetermined number, the control signal has a first predetermined logic level and when the number of indexed multimedia contents is less than the predetermined number, the control signal has a second predetermined logic level. Clearly, the

AMENDMENT UNDER 37 C.F.R. § 1.111
U. S. Application No. 09/822,832

reference fails to disclose these detailed features of the claim. Thus, claim 33 and its dependent claim 34 are allowable over the prior art for this additional reason.

For claim 35, Applicant submits that the prior art does not disclose the limitations of the claim. The Examiner concedes that Snyder fails to disclose the features of claim 35, but asserts that Hoffert at col. 6, lines 20-40 discloses these features. However, the cited portion of Hoffert only discloses a list of information that is stored, without disclosing the first, second, third, and fourth databases claimed in claim 35. Hence, claim 35 and its dependent claims 36 and 37 are allowable for this reason also.

Claims 15-20 and 23-25 are rejected over Finseth in view of Attardi. Applicant submits that there is no suggestion or motivation to combine the references. The Examiner asserts that one of ordinary skill in the art would have been motivated to modify Finseth to include storing the called multimedia contents data to a predetermined database, using the categorized structure, because it would result in the improved categorization discussed in Attardi at Section 6, lines 4-10. However, the categorization discussed in Attardi at section 6, lines 4-10 is not described as being related to storing the called multimedia contents data to a predetermined database. Rather, the cited excerpt is silent regarding storing the data. Instead, the excerpt discusses results of a categorization algorithm. Thus, claim 15 and its dependent claims 16-20 and 23-25 are allowable over the prior art.

With further regard to claim 20, Applicant submits that the prior art does not teach or suggest filtering noise images out of the called image data to get filtered images. Here, the Examiner refers to col. 5, lines 30-60 of Finseth as allegedly disclosing the features of claim 20. However, the cited portion of the reference fails to disclose the claimed features. Col. 5, lines

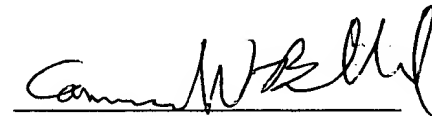
AMENDMENT UNDER 37 C.F.R. § 1.111
U. S. Application No. 09/822,832

30-60 is silent with regard to filtering noise images out of the called image data to get filtered images. The excerpt describes a web page rendering process in which image scale and format information is used to provide a rendered image. However, such a disclosure fails to describe the specifically claimed features of claim 20. Therefore, claim 20 is allowable over the prior art, for this additional reason.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Cameron W. Beddard
Registration No. 46,545

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: March 22, 2004